

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Jeremy Stephen Hicks

Name(s) of Plaintiff or Plaintiffs

-vs-

Amazon.com, Inc

Name of Defendant or Defendants

Jury Trial Demanded: Yes X No _____

DISCRIMINATION COMPLAINT

-CV-

24 CV 1116-V

You should attach a copy of your **original Equal Employment Opportunity Commission (EEOC) complaint**, a copy of the Equal Employment Opportunity Commission **decision**, AND a copy of the "**Right to Sue**" letter you received from the EEOC to this complaint. Failure to do so may delay your case.

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

This action is brought for discrimination in employment pursuant to (*check only those that apply*):

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub.L.No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621-634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub.L.No. 99-592, the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you **must first file charges** with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

JURISDICTION is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub.L.No. 102-166, and any related claims under New York law.



Revised 07/07 WDNY

In addition to the federal claims indicated above, you may wish to include New York State claims, pursuant to 28 U.S.C. § 1367(a).



New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

PARTIES

1. My address is: 38 Water St; Attica NY, 14011

My telephone number is: 585 - 409 - 8081

2. The name of the employer(s), labor organization, employment agency, apprenticeship committee, state or local government agency who I believe discriminated against me is/are as follows:

Name: Amazon.com, Inc.

Number of employees: 1.5 million +

Address: 410 Terry Ave N, Seattle 98109, WA

3. (If different than the above), the name and/or the address of the defendant with whom I sought employment, was employed by, received my paycheck from or whom I believed also controlled the terms and conditions under which I were paid or worked. (For example, you worked for a subsidiary of a larger company and that larger company set personnel policies and issued you your paycheck).

Name: Amazon.com Fulfillment Center and Sortation Center

Address: 4201 Walden Ave
Lancaster, NY 14086

CLAIMS

4. I was first employed by the defendant on (date): approximately 11/15/2022

5. As nearly as possible, the date when the first alleged discriminatory act occurred is: June 9th, 2023 (6/9/2023)

6. As nearly as possible, the date(s) when subsequent acts of discrimination occurred (if any did): June 14th, 2023 (6/14/2023)

7. I believe that the defendant(s)

a. Are still committing these acts against me.

b. Are not still committing these acts against me.

(Complete this next item **only** if you checked "b" above) The last discriminatory act against me occurred on (date) June 14th, 2023 (6/14/2023)

8. (Complete this section **only** if you filed a complaint with the New York State Division of Human Rights)

The date when I filed a complaint with the New York State Division of Human Rights is _____
 (estimate the date, if necessary)

I filed that complaint in (identify the city and state): _____

The Complaint Number was: _____

9. The New York State Human Rights Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

10. The date (if necessary, estimate the date as accurately as possible) I filed charges with the Equal Employment Opportunity Commission (EEOC) regarding defendant's alleged discriminatory conduct is: 10/26/2023

11. The Equal Employment Opportunity Commission did /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

12. The Equal Employment Opportunity Commission issued the attached Notice of Right to Sue letter which I received on: 09/14/2024. (NOTE: If it

did issue a Right to Sue letter, you must attach one copy of the decision to each copy of the complaint; failure to do so will delay the initiation of your case.)

13. I am complaining in this action of the following types of actions by the defendants:

- a. Failure to provide me with reasonable accommodations to the application process
- b. Failure to employ me
- c. Termination of my employment
- d. Failure to promote me
- e. Failure to provide me with reasonable accommodations so I can perform the essential functions of my job
- f. Harassment on the basis of my sex
- g. Harassment on the basis of unequal terms and conditions of my employment
- h. Retaliation because I complained about discrimination or harassment directed toward me
- i. Retaliation because I complained about discrimination or harassment directed toward others
- j. Other actions (please describe) My freedom of speech was violated by forcing me to speak certain words or phrases against my religious practices in order to remain employed.

14. Defendant's conduct is discriminatory with respect to which of the following (*check all that apply*):

a. <input type="checkbox"/> Race	f. <input checked="" type="checkbox"/> Sexual Harassment
b. <input type="checkbox"/> Color	g. <input type="checkbox"/> Age _____ Date of birth _____
c. <input checked="" type="checkbox"/> Sex	h. <input type="checkbox"/> Disability
d. <input checked="" type="checkbox"/> Religion	Are you incorrectly perceived as being disabled by your employer?
e. <input type="checkbox"/> National Origin	_____ yes _____ no

15. I believe that I was /was not intentionally discriminated against by the defendant(s).

16. I believe that the defendant(s) is/are _____ is not/are not still committing these acts against me. (If you answer is that the acts are not still being committed, state when _____ and why the defendant(s) stopped committing these acts against you: The termination of my employment ended these hr acts against me, on June 14th, 2023)

17. A copy of the charge to the Equal Employment Opportunity Commission is attached to this complaint and is submitted as a brief statement of the facts of my claim. (NOTE: You must attach a copy of the original complaint you filed with the Equal Employment Opportunity Commission and a copy of the Equal Employment Opportunity Commission affidavit to this complaint; failure to do so will delay initiation of your case.)

18. The Equal Employment Opportunity Commission (*check one*):

has not issued a Right to sue letter
 has issued a Right to sue letter, which I received on 9/14/2024

19. State here as briefly as possible the *facts* of your case. Describe how each defendant is involved, including *dates* and *places*. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (*Use as much space as you need. Attach extra sheets if necessary.*)

I was terminated from my employment with Amazon because I stated that my religious practices, beliefs, and lifestyle were in conflict with the usage of "preferred programs" regarding another employee's chosen gender. I stated I was protected under Title VII of the Civil Rights Act of 1964, but the Human Resource manager representing Amazon said and wrote, in my termination letter, that Amazon policy overrides God's policy in spite of and in negligent disregard of my Christian practices and beliefs. I was being forced to use speech and...

FOR LITIGANTS ALLEGING AGE DISCRIMINATION

20. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct _____ 60 days or more have elapsed _____ less than 60 days have elapsed

FOR LITIGANTS ALLEGING AN AMERICANS WITH DISABILITIES ACT CLAIM

21. I first disclosed my disability to my employer (or my employer first became aware of my disability on _____)

Discrimination Complaint Con't (pg 1 of 2)

Section 19. Con't- State briefly as possible the facts of your case.

...accept participation in another employee's sexual and/or gender choice lifestyle that would infringe and violate my religious beliefs as a Christian and the sexual lifestyle I chose to live according to the word of God as given to us in the Holy Bible. I felt that my freedom of religion and free speech were trespassed upon and deliberately disregarded in comparison to another employee's gender chosen lifestyle.

2. Amazon human resource workers harassed me as I was repeatedly asked and demanded that I accept and go forward using preferred pronouns or I would no longer be employed even after I stated that Title VII of the Civil Rights Act of 1964 protected by religious practices just as they saw it protected the other employee's gender rights and ultimately that the protected classes in question were not equal in their minds.
3. I was wrongfully terminated from my employment with Amazon as the Managers and Human Resource workers involved decided as stated in my termination letter that I chose to follow God's policy instead of Amazon policy.
4. My termination is evidence of the discrimination against my religious practices as a Christian follower of Jesus Christ as my Savior, my belief in God as Creator and my choice to live according to the word of God outlined and described in the Holy Bible.

The incidents and actions described above all occurred at the Amazon Fulfillment Center Warehouse in Lancaster NY, known as BUF9 and BUF5, located at 4201 Walden Ave, Lancaster NY 14086 in Erie County, State of New York.

The initial incident occurred on June 9th of 2023, at the "end of the line" work station, and I was brought in for discussion of the incident with the shift leader, management and a human resource department employee.

Discrimination Complaint Con't (pg 2 of 2)

On June 14th, 2023 after about an hour into my shift had passed I was pulled into another meeting with human resource management and a fulfillment center manager and a shift leader in which again I was demanded to "respect" the use of preferred pronouns going forward or I would be let go. I said I can go against my Christian beliefs and was terminated. I was demanded to hand in my badge and escorted from the fulfillment by security. I received my termination letter by email a day or two later. I was told I would have access to my employment files for 30 days but was never able to access them through the automated system.

I then filed request to reinstate my position and for unemployment insurance compensation hearing in which an Amazon Representative failed to show and the judge granted unemployment compensation by default. I went on to file a religious discrimination, wrongful termination and failure to provide accommodation claims with the Equal Employment Opportunity Commission.

22. The date on which I first asked my employer for reasonable accommodation of my disability is _____

23. The reasonable accommodations for my disability (if any) that my employer provided to me are: _____

24. The reasonable accommodation provided to me by my employer were _____/were not
_____ effective.

WHEREFORE, I respectfully request this Court to grant me such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Dated: 11/12/2024



Plaintiff's Signature

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION		Charge Presented To:	Agency(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		EEOC FEPA	525-2023-02001
		New York State Division Of Human Rights <i>State or local Agency, if any</i>	
I Name (Indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Mr. Jeremy S. Hicks		Home Phone 585-409-8081	Year of Birth 1977
Street Address 38 Water St ATTICA, NY 14011			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Amazon Fulfillment Center		No. Employees, Members 501+ Employees	Phone No. 1(716)685-79401
Street Address 4201 Walden Avenue, LANCASTER, NY 14086			
Name		No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE Earliest 06/14/2023 06/09/2023 <i>BSA</i> Latest 06/14/2023	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began working for Respondent in or around November 2022. I identify as Christian. My most recent job title was warehouse worker. On or around June 9, 2023, I noticed the co-worker assigned to work with me, Dan, was not performing his job duties at our workstation. I brought this to management's attention. As I was reporting him to management, Dan interrupted me and demanded that I call him by his preferred pronouns. I responded that I could not change his pronoun because doing so would violate my religious beliefs. My faith teaches me that a man is a man, and a woman is a woman. I was then brought into the office and told that I needed to make a statement. I believe Respondent should have allowed me to continue working, with Dan working at a separated workstation, as a reasonable accommodation for my religious beliefs. Instead, five days after the incident, I was terminated. I believe Respondent failed to accommodate me and terminated me because of my religious beliefs, in violation of Title VII of the Civil Rights Act.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Mr. Jeremy S. Hicks 11/06/2023		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Charging Party Signature			

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

EEOC (Inquiry) Number: 525-2023-02001

Inquiry Information

INQUIRY OFFICE

Receiving: Buffalo Local Office

Accountable: Buffalo Local Office

POTENTIAL CHARGING PARTY

Name: Mr. Jeremey S. Hicks

Address: 38 Water St
ATTICA, NY 14011

Year of Birth:

Email Address: wrongpronouns@gmail.com

Phone Number: 585-409-8081

POTENTIAL CHARGING PARTY'S DEMOGRAPHICS

Gender: M

Disabled? I do not have a disability

Are you Hispanic or Latino? not hispanic or latino

Ethnicity: White,

National Origin: American(U.S.)

RESPONDENT/Employer

Organization Name: Amazon Fulfillment Center

Type of Employer: Business or non-profit organization that I applied to, work for, or worked for

Number of Employees: 20 or more employees

Address: 4201 Walden Avenue,
LANCASTER, NY 14086

County: Erie

Phone Number: 1 (716) 685-9401

LOCATION OF POTENTIAL CHARGING PARTY'S EMPLOYMENT

Address: 4201 Walden Avenue, Lancaster NY, 14086

County: Erie

RESPONDENT CONTACT

Name: Amazon Fulfillment Center

Email Address:

Phone Number:

Title:

REASON(S) FOR CLAIM

Date of Incident (Approximate): 06/14/2023 , originally 06/09/2023

Reason for Complaint: Religion

Pay Disparity:

Location of Incident: New York

Submission (initial inquiry) Date 07/27/2023

Claim previously filed as charge with EEOC? No

Approximate Date of Filing:

Charge Number: 525-2023-02001

Claim previously filed as complaint with another Agency? No

Agency Name:

Approximate Date of Filing:

Nature of Complaint:

Adverse Action(s)

I was terminated for harassment because of my protected religious rights and liberties after an incident with another employee who demanded I call him "they/them". I asked the employee to help with our responsibilities and he became irate and complained to manager. While telling the manager what the issue was preferred pronouns usage became an issue, human resources became involved and ultimately terminated my employment with the company..

APPOINTMENT

Appointment Date and time: 10/26/2023 13:00:00 EST

Interview Type: Phone.

APPROXIMATE DEADLINE FOR FILING A CHARGE: 04/09/2024

Supplemental Information

What Reason(s) were you given for the action taken against you?

Harassment, I was told to "respect" the demand of preferred pronouns usage by calling a man , a "they, them" or I would be let go from my position of employment with Amazon

Was anyone in a similar situation treated the same, better, or worse than you?

I do not know

Please provide name(s) and email and/or phone number of anyone who will support your claim, and briefly describe the information this person will provide.

I do not have other people's information, Amazon has it though

Please tell us any other information about your experience?

Preferred pronouns were demanded upon me to use with my job being held as collateral to force my compliance against my free speech and expression and against my religious convictions as a follower of Jesus Christ



**U.S. EQUAL OPPORTUNITY COMMISSION
Buffalo Local Office**

Olympic Towers
300 Pearl Street, Suite 450
Buffalo, NY 14202
Phone: (716) 431-5007
Fax: buffaxmain@eeoc.gov

Jeremy Hicks
38 Water Street
Attica, New York 14011

Re: Jeremy Hicks v. Amazon
EEOC Charge Number: 525-2023-02001

Dear Mr. Hicks:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information submitted. In your charge, you alleged that Respondent failed to accommodate your religious beliefs and terminated you because of your religion, in violation of Title VII of the Civil Rights Act. Specifically, you alleged that Respondent terminated you after you declined to use gender-neutral pronouns in communicating with a coworker because doing so would have violated your religious beliefs.

Title VII requires an employer to provide a reasonable job accommodation to an individual with a sincerely held religious belief that would relieve employees of the burden of choosing between their jobs and their religious convictions. Under Title VII, however, the employer is not required to provide a requested accommodation if it would result in more than a minimal hardship to the employer. Courts have found more than a minimal hardship where a requested accommodation conflicts with an employer's responsibilities under other laws, including protections afforded to other employees under Title VII.

Based upon the information submitted during the investigation, the Commission is unable to conclude that the evidence establishes a violation of Title VII. The Respondent has successfully illustrated that the granting of your requested accommodation would have been more than a minimal hardship under the circumstances. Based upon this analysis, the Commission is unable to conclude that information the establishes a violation of Federal law on the part of Respondent. This does not certify that Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. You will receive a Notice of Dismissal and Right to Sue in the coming days. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge within 90 days of receipt of said notice. Otherwise, your right to sue will be lost. If you have any questions, please contact Investigator Stephanie Littlehale at (716) 431-5014.

Sincerely,

Maureen C. Kielt Digitally signed by Maureen C. Kielt
Date: 2024.09.09 15:12:33 -04'00'

Maureen C. Kielt
Director, Local Buffalo Office



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Buffalo Local Office
300 Pearl St, Suite 450
Buffalo, NY 14202
(716) 431-5007
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 09/09/2024

To: Mr. Jeremey S. Hicks
38 Water St
ATTICA, NY 14011

Charge No: 525-2023-02001

EEOC Representative and email: STEPHANIE LITTLEHALE
Investigator
stephanie.littlehale@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice**. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Maureen C. Kielt Digitally signed by Maureen C. Kielt
Date: 2024.09.09 15:11:22 -04'00'

Maureen C. Kielt
Local Office Director

Cc:

Tiffany Obeng
Amazon Fulfillment Center c/o Littler Mendelson, P.C.
2301 MCGEE ST STE 800
Kansas City, MO 64108

Please retain this notice for your records.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS Jeremy S. Hicks</p> <p>(b) County of Residence of First Listed Plaintiff <u>Wyoming</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number)</p>		<p>DEFENDANTS Amazon.com, Inc.</p> <p>County of Residence of First Listed Defendant <u>Erie</u> <small>(IN U.S. PLAINTIFF CASES ONLY)</small></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>																																		
		<p>24 CV 1116</p>																																		
<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <table border="0"> <tr> <td><input type="checkbox"/> 1 U.S. Government Plaintiff</td> <td><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></td> </tr> <tr> <td><input type="checkbox"/> 2 U.S. Government Defendant</td> <td><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></td> </tr> </table>		<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="0"> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> PTF 1</td> <td><input type="checkbox"/> DEF 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> PTF 4</td> <td><input type="checkbox"/> DEF 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		Citizen of This State	<input checked="" type="checkbox"/> PTF 1	<input type="checkbox"/> DEF 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF 4	<input type="checkbox"/> DEF 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6											
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<p>VI. CAUSE OF ACTION</p> <p>Cite the U.S. Civil Statute under which you are filing (<i>Do not cite jurisdictional statutes unless diversity</i>): <u>First Amendment of the Constitution of the United States, Title VII Civil Rights</u></p> <p>Brief description of cause: <u>My Religious beliefs and practices were reasons for terminating employment</u></p>																																				
<p>VII. REQUESTED IN COMPLAINT:</p> <p><input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.</p>		<p>DEMAND \$ <u>150,000,000</u></p>	<p>CHECK YES only if demanded in complaint: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>																																	
<p>VIII. RELATED CASE(S) IF ANY</p> <p>(See instructions):</p>		<p>JUDGE <u>Matthew J. Kacsmaruk</u></p>	<p>DOCKET NUMBER <u>2:21-cv-1942</u></p>																																	
DATE	SIGNATURE OF ATTORNEY OF RECORD																																			
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Civil Cover Sheet Continued – (pg1 of 2)

Section VI. Statute Con't- ...Act of 1964. As for the first amendment violations, the free exercise of my religious practices and the right to free speech were both abridged, and infringed upon by being ignored by Amazon Human Resource and Managers in their decision to terminate my employment for not using "preferred pronouns" against my religious beliefs and right to be free from coerced or forced speech.

Section VI. : Brief description of cause con't- ...and considered "harassment" by Amazon Management and Human Resource Employees whom investigated the complaint against me for telling another employee I cannot participate in his lifestyle because it is against my Christianity and living my life according to the Holy Bible which declares I should not lie and that God our creator made us as man or woman. I turned my God's Army baseball cap around during the incident while explaining my reasoning for not using his preferred pronouns he declared to be "they or them and Z", to which I did not understand. He proceeded to complain to human resources of my opposition and they ultimately determined I would be terminated after they repeatedly tried to force me to "respect" the use of preferred pronouns in order to keep my job. I stated they were terminating me according to the policy understanding of TitleVII of the Civil Rights Act of 1964 in which my religious practices and my Belief in Jesus and God are an equally protected class. Amazon took no consideration of providing an accomodation such as having me and the other employee work at seperate work stations, as this was the first time the other employee was stationed to work at the "end of the line" position. I did not harass or discriminate against the other empoloyee, but rather just declared that my Christian beliefs would not allow me to do so in good conscience. Unfortunately this incident occurred during pride month which is part of the reason I was made an example of.

Section VII. Requested In Complaint Con't: Demand; I am seeking Injuntive relief in the form of an educational, awareness and training program to make all applicants aware of the mandated use of preferred pronouns by Amazon.com, Inc., that would be designed to make all applicants aware of the use of "preferred gender pronouns" so applicants would be aware and be able to chose whether or not to apply for employment, and for the development of a training program for all human resource empl;oyees to properly educate and inform hired applicants on the proper use of "preferred pronouns' and other related gender or sex related mandates in place at all Amazon.com locations mandating the use of such language as preferred pronouns. All applicants and employees should be properly informed of the required use and educated on how and when to use such language appropriately as to avoid any conflicts that may arise between protected classes of workers according to Title VII of the Civil Rights Act of 1964 and

Civil Cover Sheet Con't – (pg 2 of 2)

accordingly to the First Amendment to the Constitution of the United States regarding Free Speech and religiopus practices protected there in.

Developement of such a program could cost an estimated \$100 or more, with Amazon.com, Inc. employing over 1.5 million employees the approximate expense would be \$150 million dollars or more.

I am seeking Monetary damages equivelant to the possible wages I could have received including benefits up to my retirement age which could conservatively have reached approximately \$1,000,000, as well as punitive damages of \$14 million for stress and emotional damages for then breakup of my family, the loss of my home and bookstore, missing my daughter's wedding and births of my grandchildren due to the financial loss incurred from the wrongful termination due to the discriminatory acts by Amazon human resource employees.

I am suing for the cost of development of such a program as described in my injuctive relief demand/request above amounting to \$150,000,000 without the requested injunctive relief, or \$15,000,000 in monetary reward with the injuctive relief request.

Section VIII Related Cases Con't;

Judge: Charles E. Atchley Jr.

Case Number: 3:21-cv-308

Generated: Nov 20, 2024 11:21AM

Page 1/1



U.S. District Court

New York Western - Buffalo

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CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
200	Civil Filing Fee- Non-Prisoner	24-CV-1116	1	405.00	405.00

CD	Tender	Amt
PC	Paper Check Conversion	#232629 11/20/2024 \$405.00
		Total Due Prior to Payment: \$405.00
		Total Tendered: \$405.00
		Total Cash Received: \$0.00
		Cash Change Amount: \$0.00

Comments: NP CIVIL FILING FEE FOR JEREMEY HICKS 19 MARKET ST. ATTICA, NY 14011

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